

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

UMBERTO CAVALIERI et al.,

Plaintiffs,

v.

No. 06-CV-315
(GLS/DRH)

GENERAL ELECTRIC COMPANY et al.,

Defendants.

ROBERT R. BEZIO,

Plaintiff,

v.

No. 06-CV-381
(GLS/DRH)

GENERAL ELECTRIC COMPANY et al.,

Defendants.

**DAVID R. HOMER
U.S. MAGISTRATE JUDGE**

ORDER OF CONSOLIDATION

Presently pending is the amended motion of the plaintiffs in the two above-captioned cases for consolidation pursuant to Fed. R. Civ. P. 41(a) and for various other relief.

Cavalieri Docket No. 12. Defendants do not oppose that portion of the motion which seeks consolidation and it appears that the two actions involve common questions of law and fact.¹ Accordingly, it is hereby

ORDERED that:

1. The motion of plaintiffs for consolidation is **GRANTED** and the two actions

¹Decision on the remaining relief sought by plaintiffs in their amended motion is reserved and will be addressed in a separate order.

are hereby consolidated for all purposes pursuant to Fed. R. Civ. P. 42(a);

2. As the first-filed case, the Cavalieri action is designated the "Lead Case," the Bezio action is designated the "Member Case," and any action hereafter consolidated with these actions shall likewise be designated as a "Member Case;"

3. All pleadings hereafter filed in any consolidated action shall bear the following caption:

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

IN RE GENERAL ELECTRIC ERISA
LITIGATION

No. 06-CV-315
(GLS/DRH)
(Lead Case)

4. Plaintiffs have advised that they intend to file a consolidated amended complaint and any such complaint shall be filed on or before **October 15, 2006**;

5. The deadline for defendants to answer or otherwise move with respect to the consolidated, amended complaint or, if no such consolidated amended complaint is filed, with respect to the original complaints in the consolidated actions on or before **November 15, 2006**; and

6. The conference pursuant to Fed. R. Civ. P. 16 in the two above-captioned cases presently scheduled for July 25, 2006 is **ADJOURNED WITHOUT DATE**.

IT IS SO ORDERED.

DATED: July 12, 2006
Albany, New York



United States Magistrate Judge